

REMARKS

The Applicant has carefully reviewed the Office Action mailed July 12, 2010 (hereinafter "Office Action") and offers the following remarks.

Claims 1, 2, 5, 7, 8, 14, 16-20, 23, 25, 26, 32, and 34-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,603,965 B1 to *Dinkin* (hereinafter "*Dinkin*") in view of U.S. Patent Application Publication No. 2002/0072391 A1 to *Itoh et al.* (hereinafter "*Itoh*") and further in view of U.S. Patent No. 7,184,418 B1 to *Baba et al.* (hereinafter "*Baba*"). The Applicant respectfully traverses the rejection.

When rejecting a claim under 35 U.S.C. § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.¹ The gap between the prior art and the claimed invention may not be "so great as to render the [claim] nonobvious to one reasonably skilled in the art."² Here, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art. More specifically, claim 1 recites a mobile terminal comprising a control system adapted to, among other features, establish a first session for a communication via a first interface that is identified with a communication ID and establish a second session for the communication via a second interface also with the communication ID. Claim 19 includes similar features. The Applicant submits that none of the cited references, either alone or in combination, disclose or suggest establishing a first communication session via a first interface and establishing a second communication session via a second interface where both the first session and the second session have the communication ID. Stated another way, none of the cited references, either alone or in combination, disclose or suggest that separate communication sessions established via separate interfaces have the same communication ID.

In maintaining the rejection, the Patent Office asserts that *Baba* discloses this feature in column 5, lines 9-49, column 13, lines 46-59, and in column 15, lines 6-37.³ The Applicant respectfully disagrees. At most, the cited portions disclose that with "a new IP address in hand, a

¹ *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 418, 82 U.S.P.Q.2d (BNA) 1385 (2007).

² *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q. (BNA) 257, 261 (1976).

³ See Office Action mailed July 12, 2010, page 2.

new session with the same session ID is created between the corresponding host and the mobile station.”⁴ However, *Baba* does not disclose or suggest that separate communication sessions established via separate interfaces have the same communication ID. The Applicant submits that neither *Dinkin* nor *Itoh*, either alone or in combination with each other and with *Baba*, disclose or suggest this feature. As such, claims 1 and 19, along with claims 2, 5, 7, 8, 14, 16-18, 20, 23, 25, 26, 32, and 34-38, which depend from either claim 1 or claim 19, are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

Claims 9-11, 13, 15, 27-29, 31, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dinkin* in view of *Itoh* and *Baba* and further in view of U.S. Patent Application Publication No. 2004/0259544 A1 to *Amos* (hereinafter “*Amos*”). The Applicant respectfully traverses the rejection. As noted above, claims 1 and 19, the base claims from which claims 9-11, 13, 15, 27-29, 31, and 33 respectively depend, are patentable over *Dinkin*, *Itoh*, and *Baba*. Moreover, *Amos* does not address the previously noted problems of *Dinkin*, *Itoh*, and *Baba*. Therefore, claims 9-11, 13, 15, 27-29, 31, and 33 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

⁴ See *Baba*, col. 13, ll. 57-59.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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